

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF	:	
DISCIPLINARY PROCEEDINGS AGAINST	:	FINAL DECISION AND ORDER
	:	
MAUREEN E. BURKE, L.P.N.,	:	LS0906041NUR
RESPONDENT.	:	

Division of Enforcement Case # 06 NUR 104

The parties to this action for the purposes of Wis. Stat. § 227.53 are:

Maureen E. Burke, L.P.N.
525 S. Emmertsen Road
Racine, WI 53406

Division of Enforcement
Department of Regulation and Licensing
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-8935

Board of Nursing
Department of Regulation & Licensing
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-8935

PROCEDURAL HISTORY

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final decision of this matter, subject to the approval of the Board of Nursing. The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Maureen E. Burke, L.P.N., (DOB 12/04/1963) is duly licensed as a practical nurse in the State of Wisconsin (license #305605-31). This license was first granted on April 14, 2005.
2. Respondent's most recent address on file with the Wisconsin Board of Nursing is 525 S. Emmertsen Road, Racine, Wisconsin 53406.
3. At all times relevant to this action, Respondent was working as a practical nurse at Cedar Lake Health Care Center in West Bend, Wisconsin.
4. On or about March 3, 2006, Respondent failed to administer ordered medications and failed to record that the medications were not given.

5. On or about March 3, 2006, Respondent failed to ensure that a patient's feeding tube was infusing.

CONCLUSIONS OF LAW

1. The Wisconsin Board of Nursing has jurisdiction to act in this matter, pursuant to Wis. Stat. § 441.07, and is authorized to enter into the attached Stipulation and Order, pursuant to Wis. Stat. § 227.44(5).
2. The conduct described in paragraphs 4 - 5, above, constitutes a violation of Wis. Admin. Code §§ N 7.04(4) and N 7.04(6) and subjects Respondent to discipline pursuant to Wis. Stat. § 441.07(1)(c) and (d).

ORDER

IT IS HEREBY ORDERED that:

1. Maureen E. Burke, L.P.N. is REPRIMANDED.
2. The license of Maureen E. Burke, L.P.N. to practice as a nurse in the State of Wisconsin, and her privilege to practice pursuant to the Multi-State Nursing Compact, is LIMITED as follows:
 - (a) Within six (6) months of the date of this order, Respondent shall provide satisfactory proof of completion of six (6) hours of continuing education in medical record documentation, and six (6) hours of continuing education in medication administration. Courses taken in satisfaction of this requirement must be pre-approved by the Board.
 - (b) Respondent shall provide a copy of this Final Decision and Order and all other subsequent orders immediately to supervisory personnel at all settings where Respondent works as a nurse or caregiver or provides health care, currently or in the future.
 - (c) For an indefinite period of not less than 6 months, Respondent shall arrange for written reports from supervisors to be provided to the Department Monitor. The work reports shall be submitted on a monthly basis, as directed by the Department Monitor. These reports shall assess Respondent's work performance, and shall include the number of hours of active nursing practice worked during that month.
 - (d) Respondent shall report to the Board any change of employment status, residence, address or telephone number within five (5) days of the date of a change.
3. Pursuant to Uniform Nursing Licensure Compact Regulation No. 3, Respondent's nursing practice is limited to Wisconsin during the pendency of this Order and any subsequent related orders. This requirement may be waived only upon the prior written authorization of both the Wisconsin Board of Nursing and of the regulatory board in the state in which Respondent proposes to practice.
4. After 6 months, Respondent may petition the Board for modifications to these limitations. The Board may require a personal appearance by Respondent, in its discretion. The Board may grant or deny Respondent's petition in its discretion. If Respondent is dissatisfied with the Board's decision she may seek a class 1 hearing pursuant to Wis. Stat. § 227.01(3)(a), in which the burden shall be on Respondent to show that the Board's decision is arbitrary or capricious. Requesting a hearing does not stay the Board's decision on the petition during the pendency of the hearing process.
5. Respondent shall, within ninety (90) days from the date of this Order, pay costs of this proceeding in the amount of five hundred dollars (\$500). Payment shall be made payable to the Wisconsin Department of Regulation and Licensing, and

mailed to:

Department Monitor
Division of Enforcement
Department of Regulation and Licensing
P.O. Box 8935
Madison, WI 53708-8935
Tel. (608) 267-3817
Fax (608) 266-226

6. Violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Respondent's license. The Board in its discretion may in the alternative impose additional conditions and limitations or other additional discipline for a violation of any of the terms of this Order. In the event Respondent fails to pay costs as ordered, or fails to comply with the ordered continuing education, the Respondent's license (#305605-31) SHALL BE SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of this Order.

This Order is effective on the date of its signing.

BOARD OF NURSING

By: Marilyn Kaufmann, a Member of the Board

6/4/09